

DANIEL J. BRODERICK, #89424  
Federal Defender  
DAVID M. PORTER, Bar #127024  
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Seeking Appointment as Attorney for Defendant  
SALVADOR BARAJAS ANDRADE

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. Cr. F 02-5094 AWI
	)	
Plaintiff,	)	<b>REQUEST FOR APPOINTMENT OF</b>
	)	<b>COUNSEL; ORDER</b>
v.	)	
	)	<b><u>RETROACTIVE CRACK COCAINE</u></b>
SALVADOR BARAJAS ANDRADE,	)	<b><u>REDUCTION CASE</u></b>
	)	Date: March 24, 2008
Defendant.	)	Time: 9:00 a.m.
	)	Judge: Hon. ANTHONY W. ISHII
_____	)	

Pursuant to 18 U.S.C. §§ 3006A(c) and 3582(c)(2), Defendant, SALVADOR BARAJAS ANDRADE, hereby requests the court appoint the Office of the Federal Defender and Assistant Federal Defender David M. Porter as counsel to represent him with respect to his motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2), filed March 10, 2008. Mr. Porter is familiar with the case and is willing to accept the appointment.\*

Appointment of counsel would serve the interests of justice in this case because it might facilitate a negotiated disposition of the motion and because the motion might raise novel legal issues

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\* Mr. Andrade has authorized the undersigned to file this application on his behalf.

surrounding application of the United States Sentencing Commission's recent retroactive reduction of sentences under the crack cocaine guidelines. Because Mr. Andrade's substantial rights may be affected by these criminal proceedings, he is constitutionally entitled to appointment of counsel. *Mempa v. Rhay*, 389 U.S. 128, 134 (1967).

Mr. Andrade's completed financial affidavit is attached hereto.

Accordingly, Mr. Andrade requests the Court issue the order lodged herewith.

Dated: March 10, 2008

Respectfully submitted,

DANIEL J. BRODERICK  
Federal Defender

/s/ David M. Porter  
DAVID M. PORTER  
Assistant Federal Defender

Seeking Appointment as Attorney for Movant  
SALVADOR BARAJAS ANDRADE

**O R D E R**

Pursuant to defendant's request, and good cause appearing therefor, the Office of the Federal Defender and Assistant Federal David M. Porter is hereby appointed to represent defendant with respect to his motion to reduce sentence.

IT IS SO ORDERED.

**Dated: March 10, 2008**

**/s/ Anthony W. Ishii**  
UNITED STATES DISTRICT JUDGE